

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 25-314

Judge:

Complainant:

ORDER

October 2, 2025

The Complainant alleged a superior court judge improperly denied her the right to represent herself in a criminal matter.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The allegations of the complaint in this matter solely raised disagreements with legal rulings. The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. "A good faith error of fact or law does not violate this rule. However, a pattern of legal error or an intentional disregard of the law may constitute misconduct." *See* comment 3 to Rule 2.2 of the Code of Judicial conduct. Any violation of the Code of Judicial Conduct must be proven by clear and convincing evidence.

A mistake in a ruling does not automatically mean that the judicial officer has engaged in judicial misconduct. Judicial officers are required to exercise their discretion in making their decisions. Even if a judicial officer's decision is legally or factually incorrect, the ruling is generally considered to be "legal error" and not "ethical misconduct" that the Commission can address. When a complaint to the Commission solely relates to the correctness of a judicial officer's legal decisions, the Complainant is seeking the Commission to function in the capacity of an appellate court. Correcting legal errors is the role of the appellate courts, not the Commission.

The Commission is a regulatory body with limited jurisdiction. The Commission is not a court, and as such, it does not have any authority to overturn a judicial officer's rulings, intervene in a case, assign a new judge to hear a case, or award any monetary or other relief. The Commission process cannot be a substitute for seeking appellate review.

The Commission reviewed all information submitted by the Complainant and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

A Duty Panel comprised of Commission members Regina L. Nassen, Scott H. O'Connor, and Christopher P. Staring considered this matter.

Copies of this order were distributed to all appropriate persons on October 2, 2025.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2025-314

COMPLAINT AGAINST A JUDGE

Name: Judge's Name:

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

TO WHOM IT MAY CONCERN:

This letter serves as formal notice of multiple and ongoing violations of my constitutional rights under the United States Constitution, and specifically under 42 U.S.C. § 1983, by parties acting under color of state law in the case of State of Arizona _____, Case No. _____, currently pending in the _____ County _____ Court.

1. I have been denied my Sixth Amendment right to self-representation. I properly invoked my right in open court and was granted pro per status. That status was later rescinded not for incompetence or misconduct, but solely because I declined to sign a waiver that I reasonably believed required me to surrender rights beyond those required to proceed pro se. This is a violation of the standard set in *Faretta v. California*, 422 U.S. 806 (1975).

2. I have been subjected to ongoing and ineffective representation by a series of appointed counsel. At least _____ public defenders have declined to file basic and necessary motions on my behalf, including a motion to dismiss based on clear misconduct and factual deficiencies in the case.

3. A detective and state prosecutor are documented engaging in misconduct including:

- Coaching a witness during a statement to change her estimated damage amount from _____ to over _____ to justify felony charges;
- Submitting allegedly collected evidence without proper chain of custody or corroboration;
- Falsely claiming collection of physical items later refuted by the State's own witness.

These actions violate my rights under the Fifth, Sixth, and Fourteenth Amendments, and amount to misconduct under color of law.

I am preparing to file formal complaints with the appropriate oversight bodies, including the Arizona Commission on Judicial Conduct, the _____, and the U.S. Department of Justice. If these issues are not addressed by the responsible agencies, I will seek redress in federal court under 42 U.S.C. § 1983.

This notice is submitted in good faith to request correction of the violations and an end to all retaliatory, coercive, or misleading conduct in this matter.

Sincerely,

Defendant, Pro Se
_____ County _____ Court
Case No. _____

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